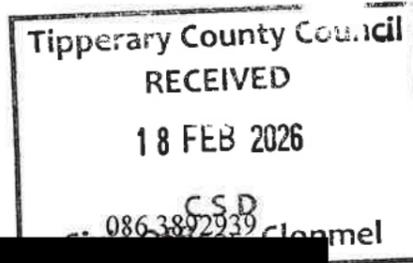


Liam Slattery
Diploma in Civil Engineering

Mitchelstown,
Co. Cork



Tipperary County Council,
Planning Department,
Civic Offices,
Emmet Street,
Clonmel,
Co. Tipperary

16th February 2026

Permission to Construct a Cattle Shed with Slatted Tank at Skeheenaranky, Burncourt, Cahir, Co. Tipperary for Tony & Mary Murphy.

Dear Sir/Madam,

Tony & Mary Murphy are part time beef farmers carrying [REDACTED]. They're hoping to build a cattle with slatted tank as the existing cattle shed can only carry small stock numbers.

The existing farmyard consists of cattle shed with slatted tank, structures number 3&4, this has an external floor area of 109m². The general storage shed 5 and haybarn 6 have a combined external floor area of 204m². There's also a clean concrete yard which has a surface area of 240m². They're proposing to construct cattle shed 1 with slatted tank 2 adjacent to the existing cattle shed 3. The cattle shed 1 with slatted tank 2 will have an external floor area of 191m². The maximum height of the shed will be 6.75m and it'd be 193m from the public road boundary. No animals have access to open yards during the winter months.

From the above information, the proposed structures would be exempt under Section 5 of the Planning and Development Act 2000.

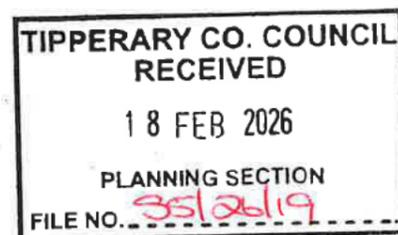
Please find enclosed:

- Payment for €80.00
- 1no. Application forms
- 2no. ordnance maps – 1:10560, 1:2500
- 2o. drawings of proposed development (see below)

| DRG. No. | DRG. TITLE | SIZE - SCALE | COPIES |
|----------|-----------------------|--------------|--------|
| 597 - 01 | Site Layout | A3 - 1:500 | 6 |
| 597 - 02 | Elevations | A3 - 1:100 | 6 |
| 597 - 03 | Floor Plan & Sections | A3 - 1:100 | 6 |

Yours sincerely,


Liam Slattery





Comhairle Contae Thiobraid Árann
Tipperary County Council

Tipperary County Council
RECEIVED
18 FEB 2026
CSD
Civic Offices, Clonmel

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

| | |
|---------------|---|
| Applicant | Tony & Mary Murphy |
| Address | SKEHEENARANKY, BUNCAWT, CAHIR, Co. Tipperary |
| Telephone No. | [REDACTED] |
| E-mail | [REDACTED] |

2. Agent's (if any) address:

| | |
|---|---|
| Agent | Liam Saffery |
| Address | 3 Cois na Glean Guanmice, Co. Co. Wick |
| Telephone No. | [REDACTED] |
| E-mail | [REDACTED] |
| Please advise where all correspondence in relation to this application is to be sent; | |
| Applicant [] | Agent [<input checked="" type="checkbox"/>] |

3. Location of Proposed Development:

| | |
|---|---|
| Postal Address or Townland or Location (as may best identify the land or structure in question) | SKEHEENARANKY, BUNCAWT, CAHIR, Co. Tipperary |
|---|---|

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FILE NO. 55/26/19

4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

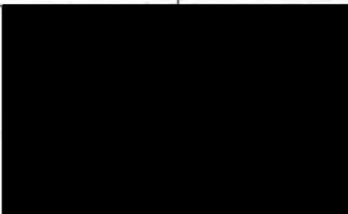
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

| |
|---|
| TO CONSTRUCT A CATTLE SHED WITH SLATED |
| TANK: |
| - 5 |
| |
| |
| Proposed floor area of proposed works/uses: 191 sqm |

SEE SITE LAYOUT DRAWING FOR EXISTING FLOOR AREA'S

5. Legal Interest of Applicant in the Land or Structure:

| | | |
|--|--|-------------|
| Please tick appropriate box to show applicant's legal interest in the land or structure | A. Owner <input checked="" type="checkbox"/> | B. Occupier |
| | C. Other | |
| Where legal interest is 'Other', please expand further on your interest in the land or structure | | |
| If you are not the legal owner, please state the name and address of the owner | Name: Address: | |

Signature of Applicant(s) 

Date: 16th FEB '26

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.

GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
 - o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - o Floor Plans & Elevations at a scale of not less than 1:200
 - o Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - o Other details e.g. brochures, photographs if appropriate.

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)

- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

| | | |
|--|-----------|--|
| Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary | OR | Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary |
| Enquires: | | |
| Telephone 0818 06 5000 | | |
| E-Mail planning@tipperarycoco.ie | | |

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18 FEB 2026
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FILE NO. SS12619

FOR OFFICE USE ONLY

| | |
|------------------------------|---|
| Fee Recd. € <u>80</u> | DATE STAMP Tipperary County Council RECEIVED 18 FEB 2026 CASH OFFICE Civic Offices, Clonmel |
| Receipt No <u>200870</u> | |
| Date <u>18-2-2026</u> | |
| Received by _____ | |

Record PLACE Map

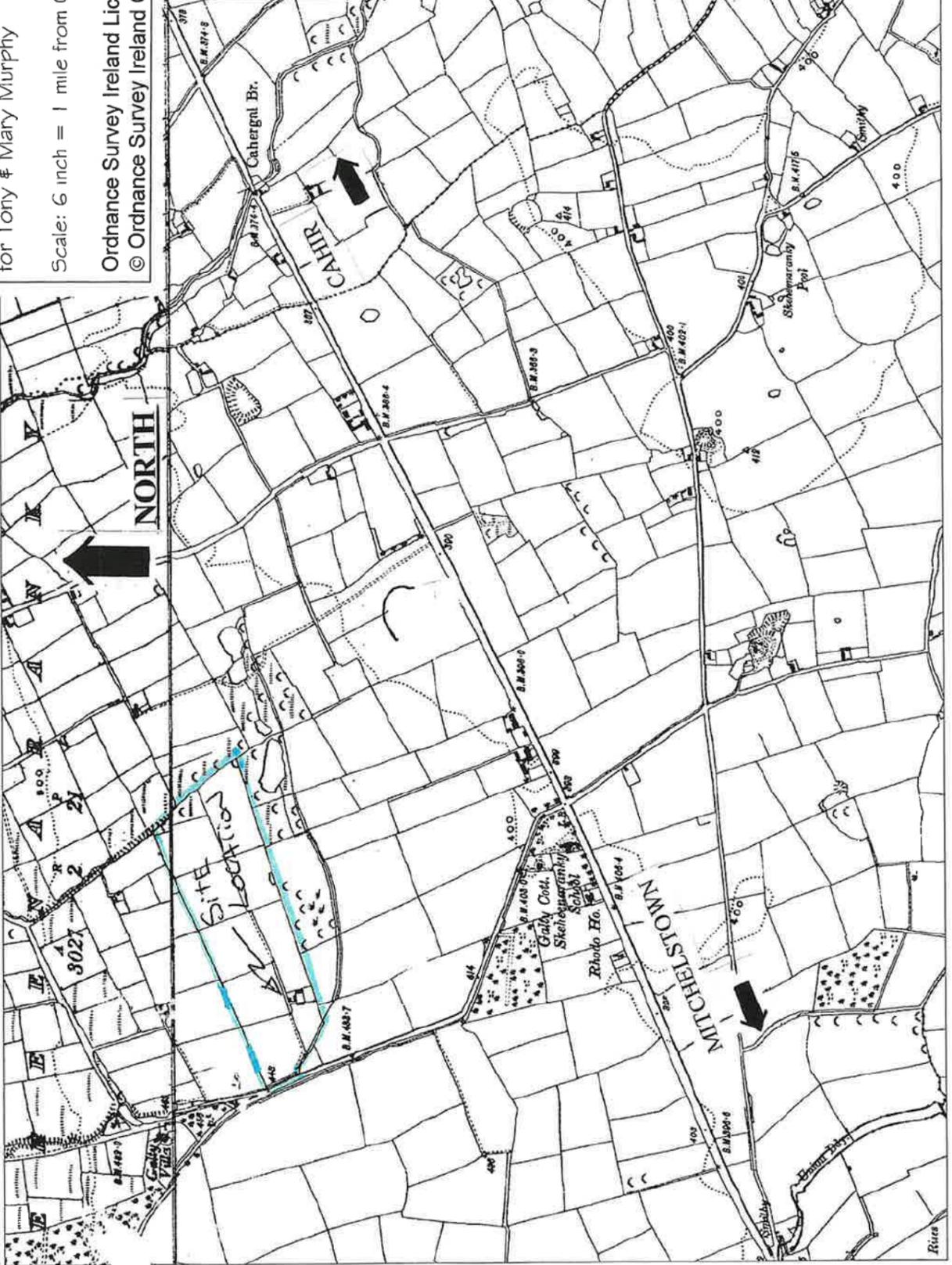
Surveyed 1840 - 1841
 Revised 1905 - 1924
 Levelled 1924

Landholding & Site Location Map

Permission for Agricultural Building at
 Skeheenaranky, Burmcourt, Cahir, Co. Tipperary
 for Tony & Mary Murphy

Scale: 6 inch = 1 mile from O.S. TY080, LK058

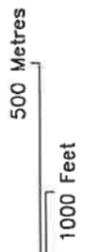
Ordnance Survey Ireland Licence No. AR 0063026
 © Ordnance Survey Ireland Government of Ireland



116496 189097 191525 116496

Scale: - 1:10560
 Scála: - 1:10560

Plot Ref. No. 9915_1_7
 Plot Date 21-MAY-2001



MAP SCALES
 6 inch
 TY086
 LK058

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 18 FEB 2026
 9806

PLANNING SECTION
 FILE NO. 2516119

TIPPERARY CO. COUNCIL



Produced by Central Bureau Services, Cork
 On behalf of Ordnance Survey Ireland,
 Phoenix Park, Dublin 8.

Ní hionann bóthar, báileach ná coisín a bhíonn ar an
 líneachlár seo agus fíneolaíocht ar chuid eile.

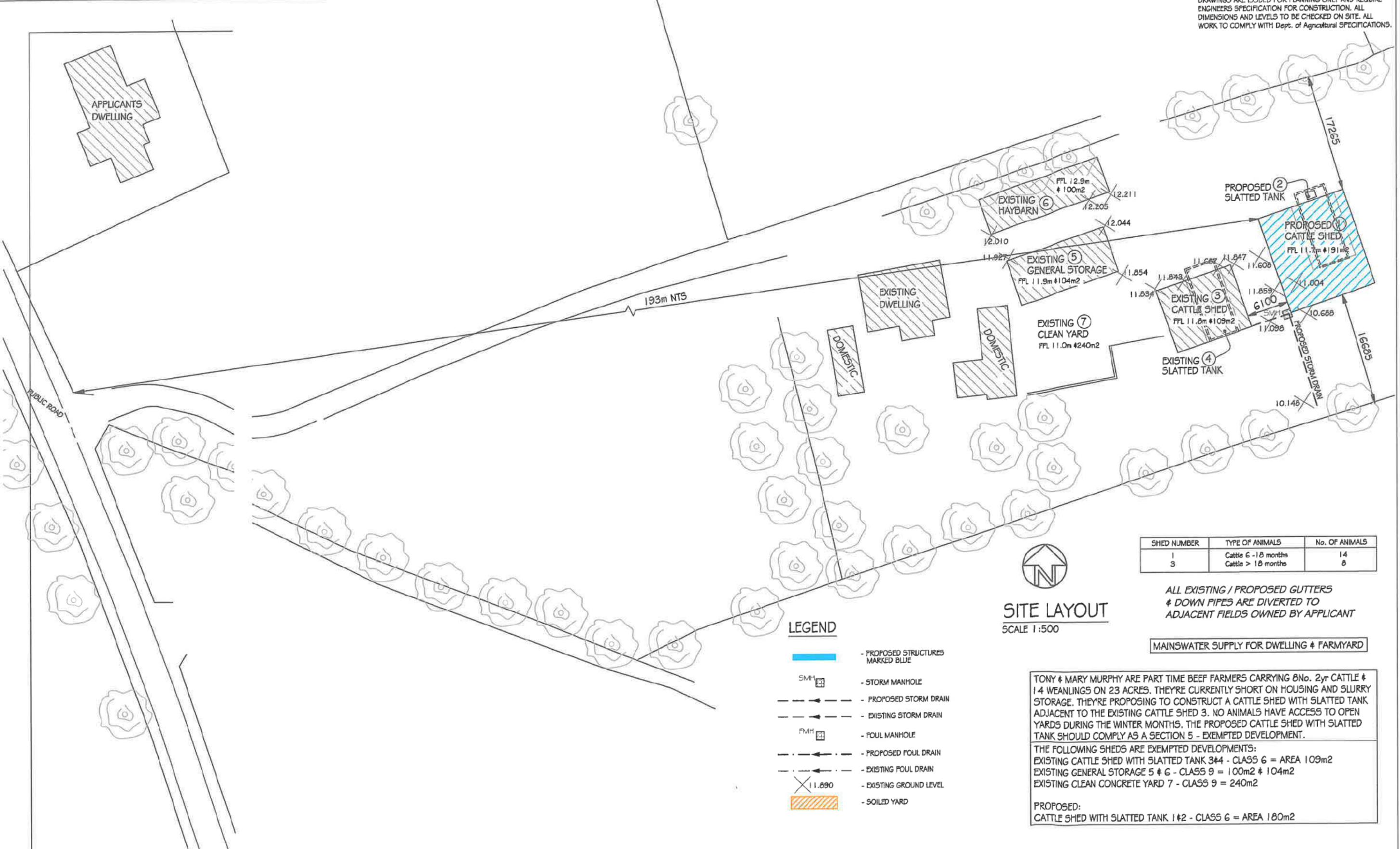
The representation on this map of a road, track
 or footpath is not evidence of the existence of
 a right of way.

Diarbhoth ar mhísearachán nó linnín ar an chuid
 de gach chuid roimh ré is Sliobhair Shuíbhéimeacht
 Orláidh Éireann.

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 Ordnance Survey Ireland.

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Liam Slattery
 Mitchelstown,
 Co. Cork.



APPLICANTS DWELLING

EXISTING 6
EXISTING HAYBARN
FFL 12.9m # 100m²

EXISTING 5
EXISTING GENERAL STORAGE
FFL 11.9m # 104m²

EXISTING 7
EXISTING CLEAN YARD
FFL 11.0m # 240m²

EXISTING 3
EXISTING CATTLE SHED
FFL 11.8m # 109m²

EXISTING 4
EXISTING SLATTED TANK

PROPOSED 2
PROPOSED SLATTED TANK

PROPOSED 1
PROPOSED CATTLE SHED
FFL 11.7m # 191m²

| SHED NUMBER | TYPE OF ANIMALS | No. OF ANIMALS |
|-------------|----------------------|----------------|
| 1 | Cattle 6 - 18 months | 14 |
| 3 | Cattle > 18 months | 8 |

ALL EXISTING / PROPOSED GUTTERS & DOWN PIPES ARE DIVERTED TO ADJACENT FIELDS OWNED BY APPLICANT

MAINSWATER SUPPLY FOR DWELLING & FARMYARD

LEGEND

- PROPOSED STRUCTURES MARKED BLUE
- SMH - STORM MANHOLE
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- FMH - FOUL MANHOLE
- PROPOSED FOUL DRAIN
- EXISTING FOUL DRAIN
- X 11.890 - EXISTING GROUND LEVEL
- SOILED YARD



SITE LAYOUT
SCALE 1:500

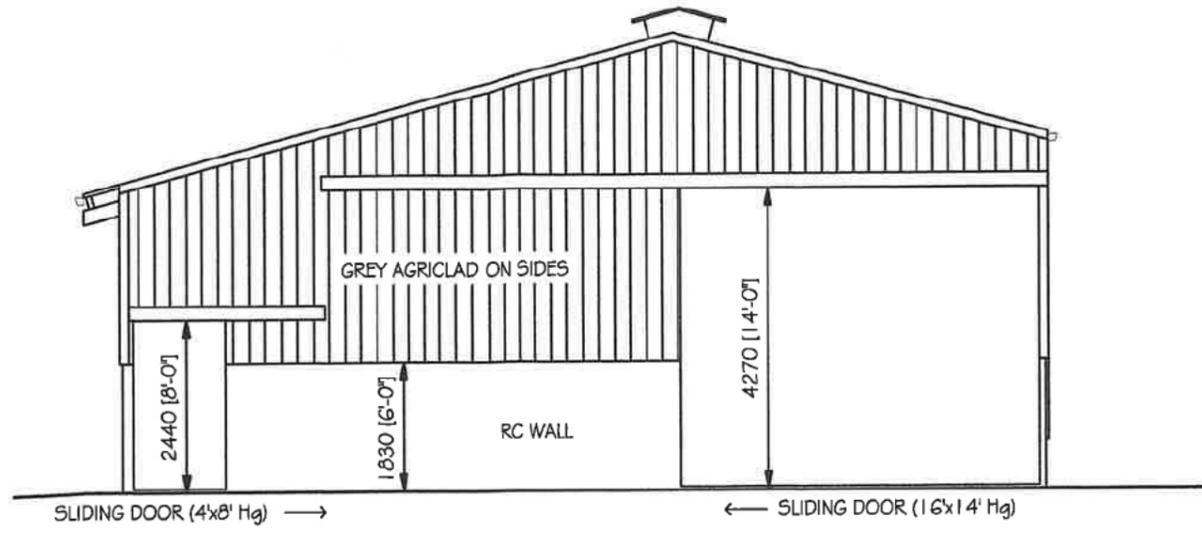
TONY & MARY MURPHY ARE PART TIME BEEF FARMERS CARRYING 8No. 2yr CATTLE & 14 WEANLINGS ON 23 ACRES. THEY'RE CURRENTLY SHORT ON HOUSING AND SLURRY STORAGE. THEY'RE PROPOSING TO CONSTRUCT A CATTLE SHED WITH SLATTED TANK ADJACENT TO THE EXISTING CATTLE SHED 3. NO ANIMALS HAVE ACCESS TO OPEN YARDS DURING THE WINTER MONTHS. THE PROPOSED CATTLE SHED WITH SLATTED TANK SHOULD COMPLY AS A SECTION 5 - EXEMPTED DEVELOPMENT.

THE FOLLOWING SHEDS ARE EXEMPTED DEVELOPMENTS:
EXISTING CATTLE SHED WITH SLATTED TANK 3&4 - CLASS 6 = AREA 109m²
EXISTING GENERAL STORAGE 5 & 6 - CLASS 9 = 100m² & 104m²
EXISTING CLEAN CONCRETE YARD 7 - CLASS 9 = 240m²

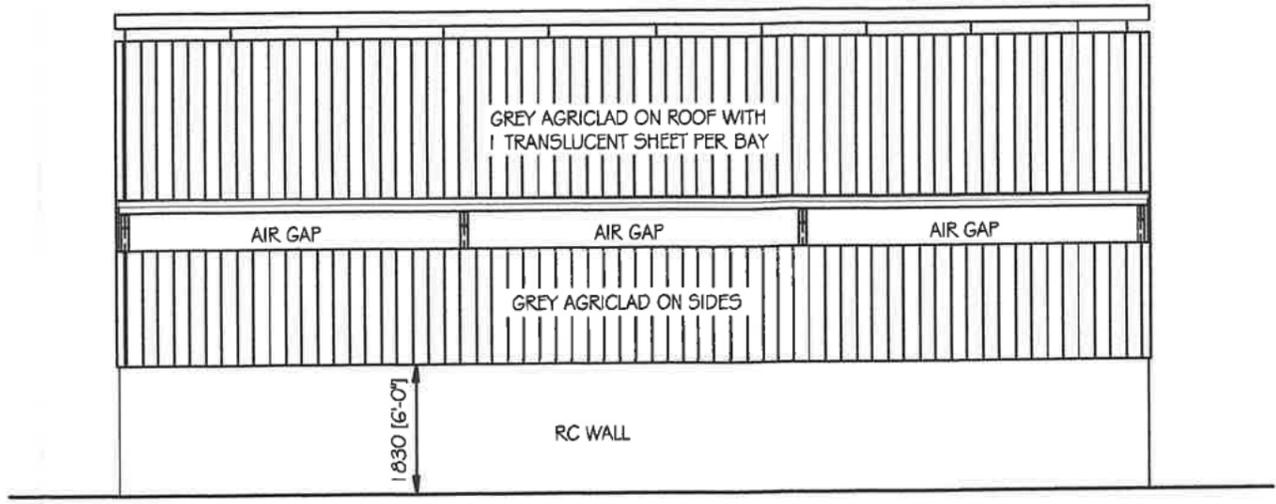
PROPOSED:
CATTLE SHED WITH SLATTED TANK 1 & 2 - CLASS 6 = AREA 180m²

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18 FEB 2026
PLANNING SECTION
FILE NO. 33/26/19

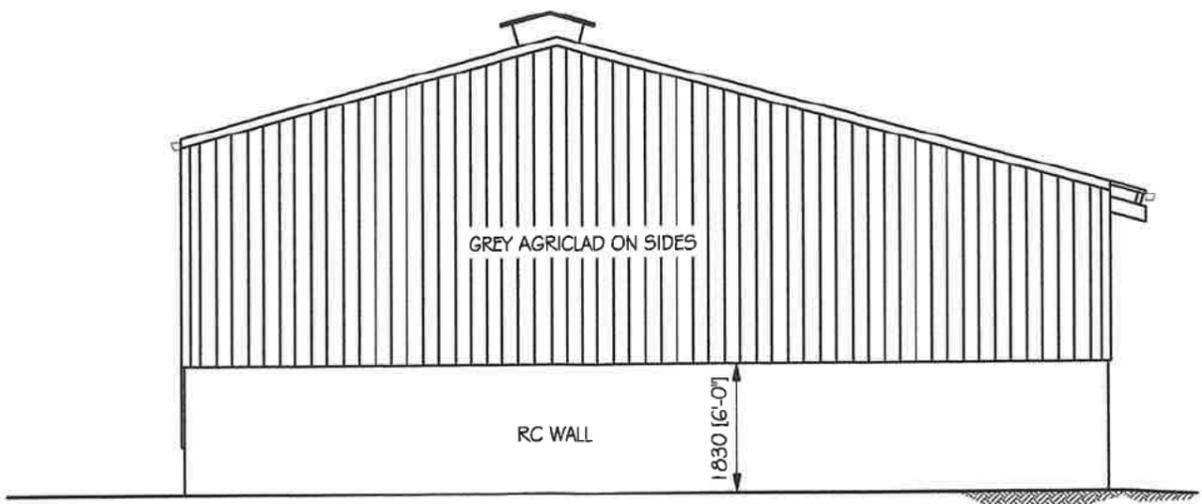
| | | |
|--|---------------------|--|
| A | ISSUED FOR PLANNING | 02.26 |
| REV. | DESCRIPTION | DATE |
| LIAM SLATTERY Diploma in Civil Engineering MITCHELSTOWN, Co. GORK Ph.: 086 3892939 email: slatteryliam@yahoo.com | | PROJECT: AGRICULTURAL BUILDINGS AT, SKEHEENARANKY, BURNCOURT, CAHIR, Co.TIPPERARY for Tony & Mary Murphy |
| Date: Feb., 2026 | Scale: A3 - 1:500 | DRG. No.: 579 - 01 |
| DRG. TITLE: | | SITE LAYOUT |



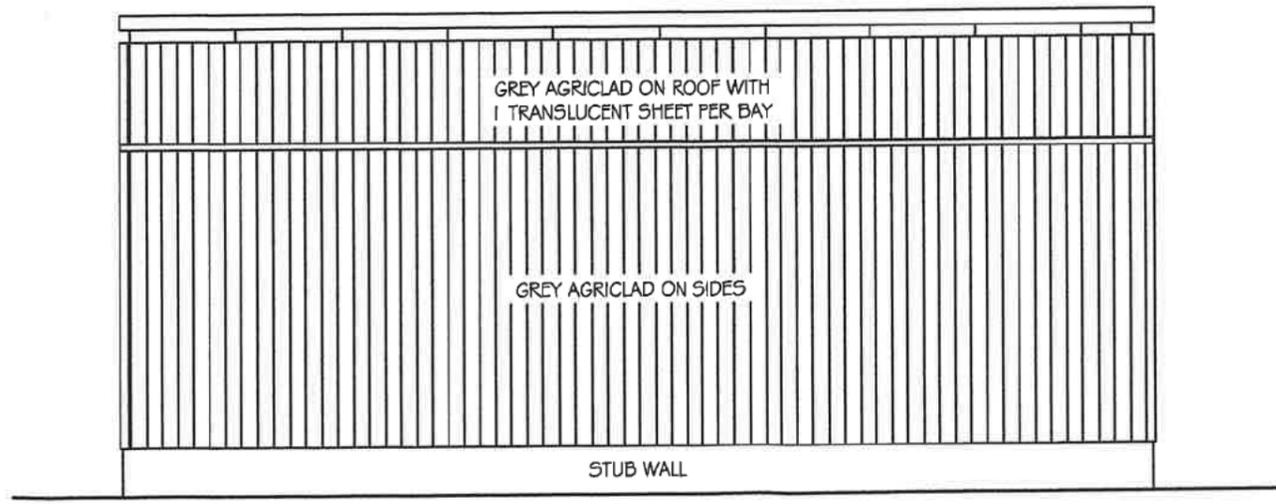
NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



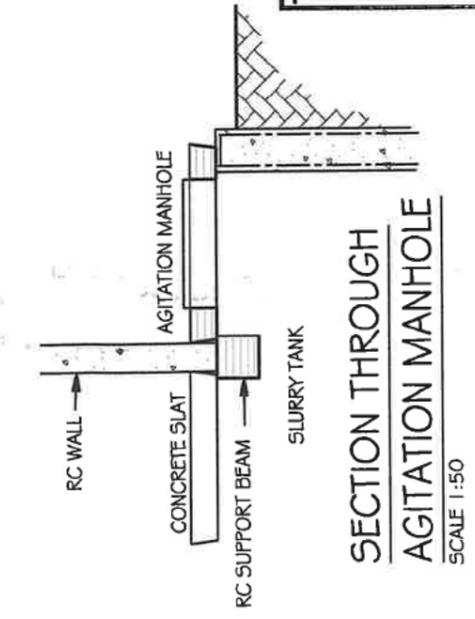
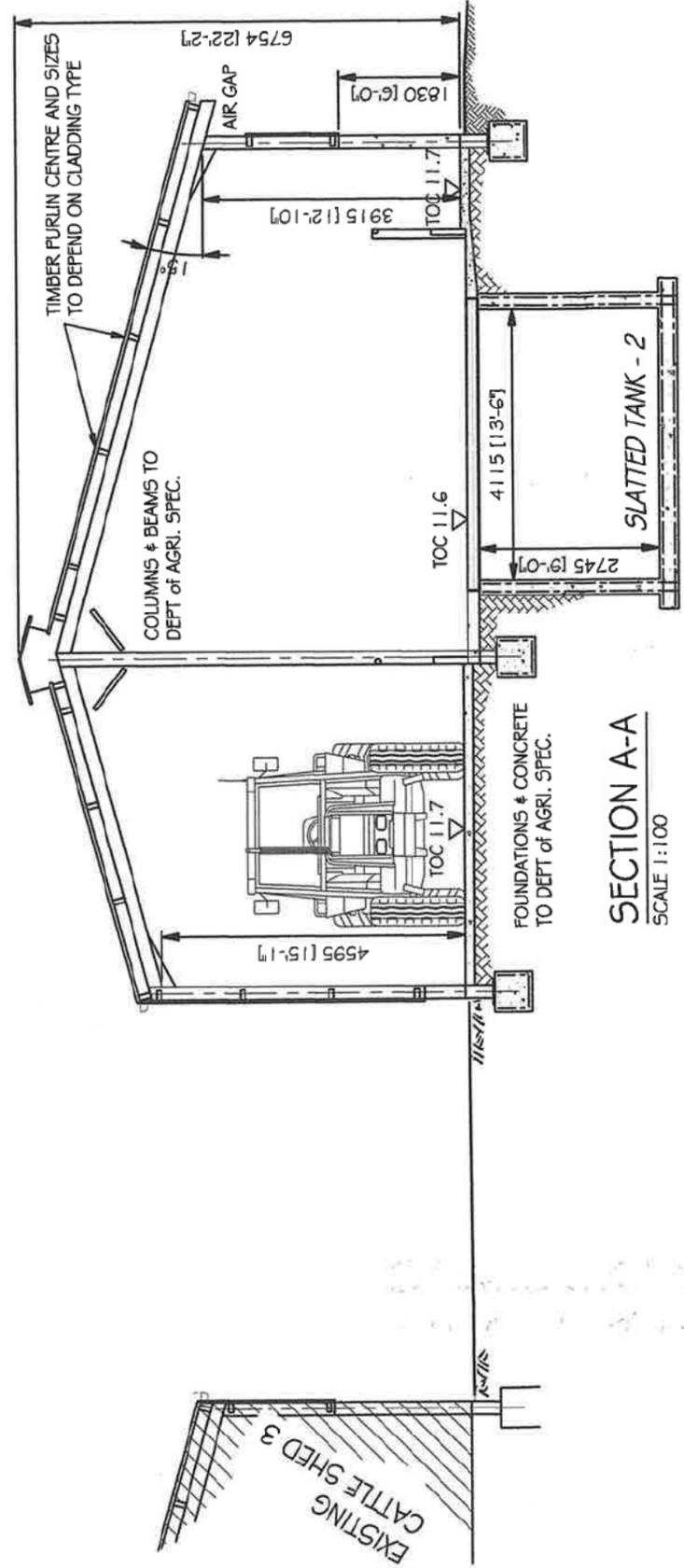
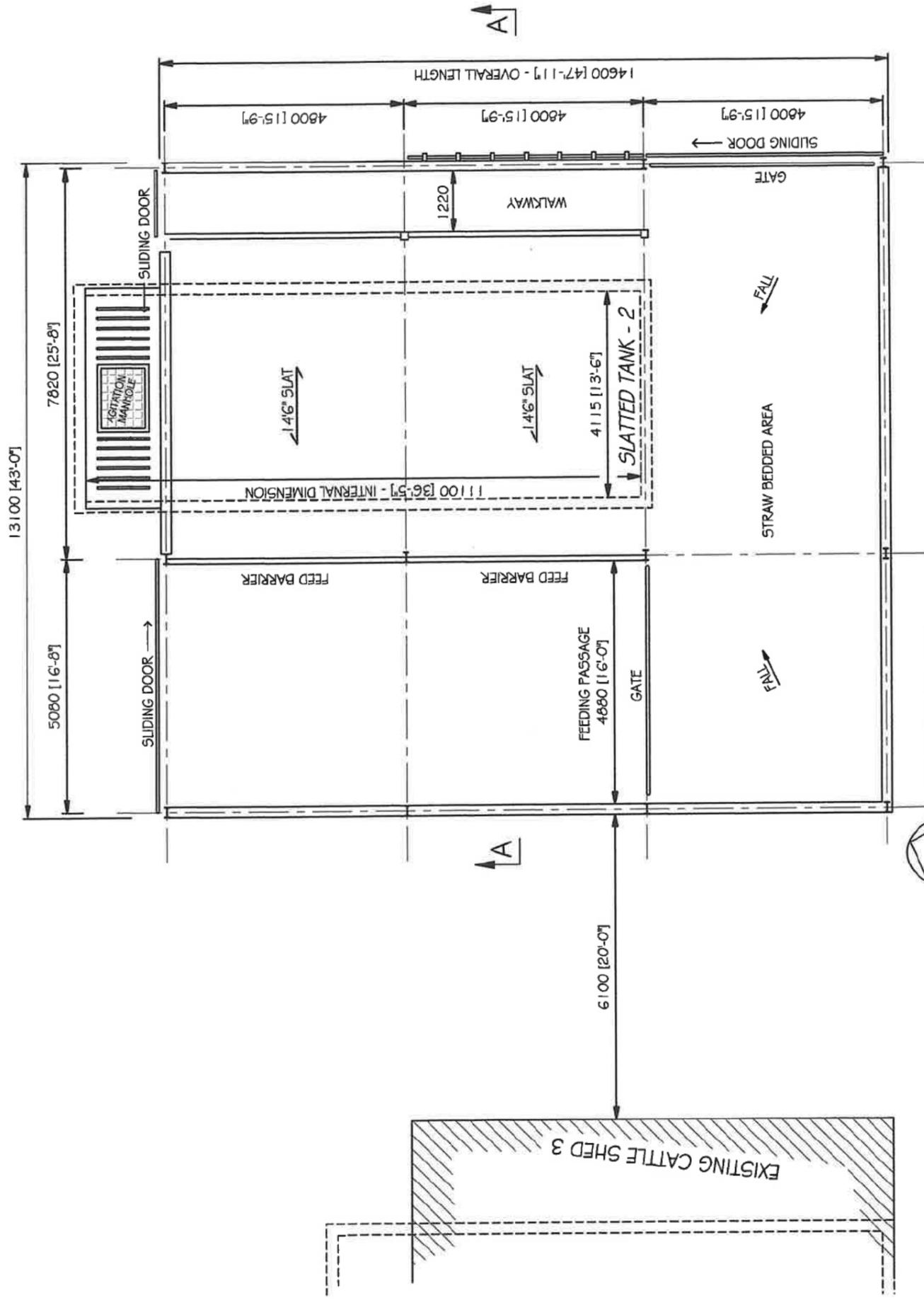
EAST ELEVATION
SCALE 1:100

*PROPOSED CATTLE SHED WITH
SLATTED TANK STRUCTURES No. 1 & 2*

**TIPPERARY CO. COUNCIL
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18 FEB 2026
PLANNING SECTION
FILE NO. *5512619*

| | | |
|--|---------------------|---|
| A | ISSUED FOR PLANNING | 02.26 |
| REV. | DESCRIPTION | DATE |
| LIAM SLATTERY Diploma in Civil Engineering MITCHELSTOWN, Co. CORK Ph.: 086 3892939 email: slatteryliam@yahoo.com | | PROJECT: AGRICULTURAL BUILDINGS AT, SKEHEENARANKY, BURNCOURT, CAHIR, Co. TIPPERARY for Tony & Mary Murphy |
| Date: Feb., 2026 | Scale: A3 - 1:100 | Dwg. No.: 597 - 02 |
| DRG. TITLE: | | ELEVATIONS |

DRAWINGS ARE ISSUED FOR PLANNING ONLY AND REQUIRE ENGINEERS SPECIFICATION FOR CONSTRUCTION. ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE. ALL WORK TO COMPLY WITH Dept. of Agricultural SPECIFICATIONS.



**PROPOSED CATTLE SHED WITH
SLATTED TANK STRUCTURES No. 1 & 2**

**TIPPERARY CO. COUNCIL
RECEIVED**
18 FEB 2026
PLANNING SECTION
FILE NO. 2512619

| | | |
|--|---------------------|-------------------------------------|
| A | ISSUED FOR PLANNING | 02.26 |
| REV. | DESCRIPTION | DATE |
| LIAM SLATTERY Diploma in Civil Engineering Ph.: 086 3692939 email: slatteryliam@yahoo.com | | |
| PROJECT: AGRICULTURAL BUILDINGS AT, SKETEENRANKY, BURNCOURT, CAHIR, Co. TIPPERARY for Tony & Mary Murphy | | |
| Date: FEB., 2026 Scale: A3 - 1:100 Drg. No.: 597 - 03 | | DRG. TITLE: FLOOR PLAN & SECTION |



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Our Ref: S5/26/19

18th February 2026

Tony & Mary Murphy
C/O Liam Slattery
3 Cois Na Gleann
Glanmire
Co. Cork

Re: Application for a Section 5 Declaration – To construct cattle shed with slatted tank at Skeheenaranky, Burncourt, Cahir, Co. Tipperary.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 18th February 2026, in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Yours sincerely



for **Director of Services**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

Planning Reference: S5/26/19

Applicant: Tony & Mary Murphy

Development Address: Skeheenaranky, Burncourt, Cahir, Co. Tipperary.

Proposed Development: To construct cattle shed with slatted tank

1. GENERAL

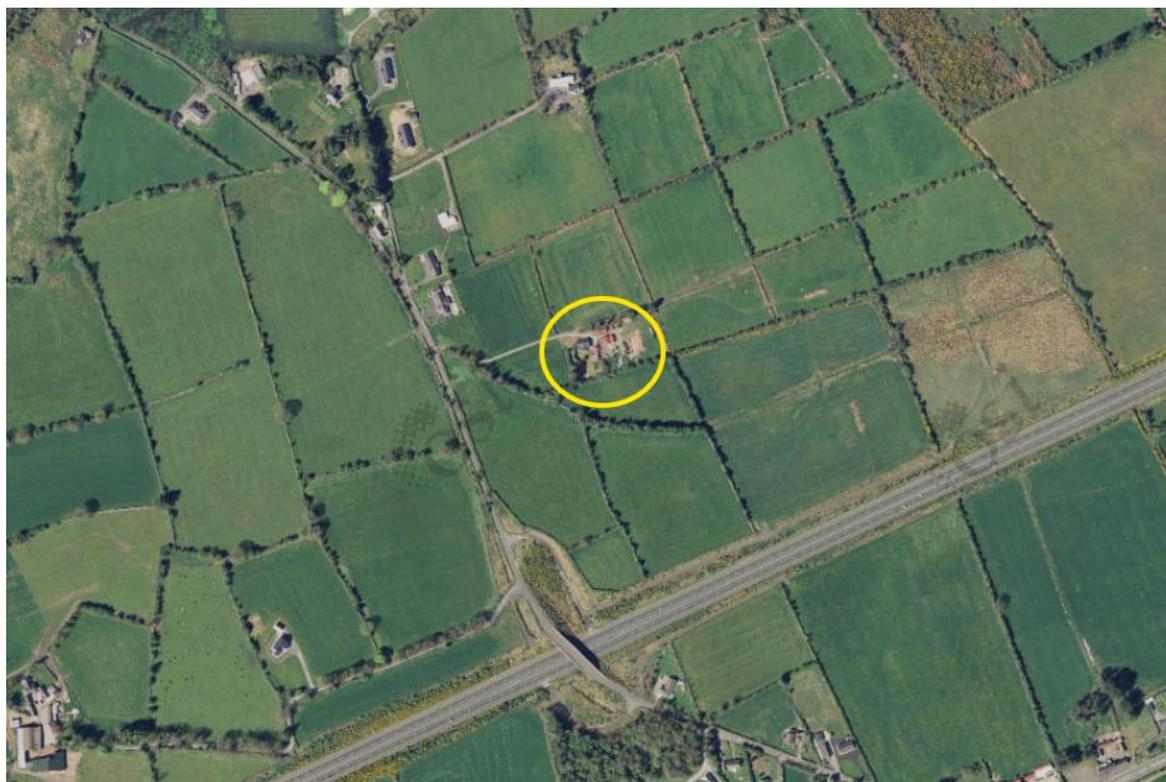
On the 18th of February 2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended, by Tony & Mary Murphy c/o Liam Slattery as to whether or not the following (as per application form) constitutes development and if so, whether same constitutes exempted development at Clashalahr, Tipperary, Co. Tipperary

Cattle shed of 191 sq m

The documentation submitted included;

- Section 5 Declaration Application Form,
- Site Location Maps,
- Site Layout Plan,
- Elevation, section and plan drawings,
- Cover letter and Farm Structures Record

Site 1 Site Location



2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Planning and Development Act 2000, as amended

Section 2(1) of the Planning and Development Act, 2000, as amended, defines “works” as:-

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 (1) of the Planning and Development Act 2000, as amended, defined “development” as follows:-

“In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.”

Section 2(1) of the Planning and Development Act, 2000, as amended, defines “Agriculture” as:-

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;

Section 4(2)(a) of the Planning and Development Act 2000, as amended, states as follows:

The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

- (i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or*
- (ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).*

Section 4(4) of the Planning and Development Act 2000, as amended, states as follows:-

Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations 2001 (as amended)

Article 6 of the Planning and Development Regulations 2001, as amended states;

Exempted Development.

(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 'Exempted Development - Rural:

| <i>Column 1 Description of Development</i> | <i>Column 2 Conditions and Limitations</i> |
|---|--|
| <p>CLASS 6 Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p> | <ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within 100 metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. |

Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

9. (1) *Development to which article 6 relates shall not be exempted development for the purposes of the Act—*

(a) *if the carrying out of such development would—*

(iii) *endanger public safety by reason of traffic hazard or obstruction of road users*

(vii) *consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

(viiA) *consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments*

(Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

3. **ASSESSMENT**

i. Site Location

The site is occupied by an existing farm holding on lands at Skeheenaranky, Burncourt, Cahir, Co. Tipperary. The site is c. 5km north-west of the village of Burncourt and is served by the L-73152-0

ii. Relevant Planning History

P33726 Permission GRANTED for the erection of an extension.

Figure 2 Planning Register



iii. Assessment

The question posed under the Section 5 Declaration application form is whether to construct an underground effluent tank (413sq.m) is development and is or is not exempted development.

A) “Is or is not Development”

It is considered the above listed proposals constitute “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) “Is or is not Exempted Development”.

Class 6 of Part 3 of Schedule 2 of the above cited Regulations is the relevant class subject to 7 limitations assessed below:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

The shed will be used for the housing of cattle.

1. No such structure shall be used for any purpose other than the purpose of agriculture.

The structure is to be used for agricultural purposes.

2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

The proposed cattle shed has a floor area of 191 sqms. The only existing cattle shed has a floor area of 109 sqm (external). The combined floor area does not exceed 300 sqms.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

The slatted tank is adequate.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The shed is in excess of 10 metres from the public road

Figure 3 Distance from road



5. No such structure within 100 metres of any public road shall exceed 8 metres in height.

Not applicable

6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

Not applicable

7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

No unpainted metal sheeting will be used on the external finishes.

C) Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

AA

The proposal has been screened as to the requirements for Appropriate Assessment under the EU Habitats Directive. See also Appropriate Assessment screening report attached. The shed is located outside of the areas identified as being at risk of flooding on the most up to date flood risk mapping.

EIA

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. EIA is not required in respect of the development. See all EIA Pre-Screening report attached.

D) Is the exemption restricted under Article 9 of the Regulations

Having reviewed the restrictions on exemption set out under Article 9, none would apply in this instance.

The farm complex is served by a long standing farm entrance. It is not considered that the shed would endanger public safety by reason of traffic hazard or obstruction of road users.

5. RECOMMENDATION

It is recommended that the following is issued:

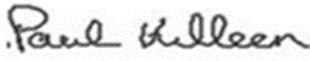
WHEREAS a question has arisen as to whether to construct a cattle shed with slatted tank at Skeheenaranky, Tipperary, Co. Tipperary is “development” and “exempted development”

AND WHERE AS Tipperary County Council in considering this referral had regard particularly to-

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- (b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2, Part 3, Class 6 of the Planning and Development Regulations, 2001, as amended and
- (d) The details as submitted with the application on the 18th of February 2026.

AND WHEREAS Tipperary County Council has concluded that to construct a cattle shed with slatted tank constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “exempted development”.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

District Planner:  Date: 12/03/2026


Senior Executive Planner: Date: 13.3.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

STEP 1. Description of the project/proposal and local site characteristics:

| | |
|---|----------------------------|
| (a) File Reference No: | S5/26/19 |
| (b) Brief description of the project or plan: | To construct a cattle shed |
| (c) Brief description of site characteristics: | Agricultural Farm Complex |
| (d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW | None |
| (e) Response to consultation: | None |

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

| European Site (code) | List of Qualifying Interest/Special Conservation Interest ¹ | Distance from proposed development ² (km) | Connections (Source-Pathway-Receptor) | Considered further in screening Y/N |
|---|---|--|---------------------------------------|-------------------------------------|
| 002137 Lower River Suir | https://www.npws.ie/protected-sites/sac/002137 | Within 10km | None | None |
| 000646 Galtee mountains | https://www.npws.ie/protected-sites/sac/000646 | Within 10km | None | None |
| 002257 Moanour Mountain | https://www.npws.ie/protected-sites/sac/002257 | Within 10km | None | None |
| 002170 Blackwater River (Cork/Waterford) | https://www.npws.ie/protected-sites/sac/002170 | Within 10km | None | None |

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

| Impacts: | Possible Significance of Impacts: (duration/magnitude etc.) |
|--|--|
| <p>Construction phase e.g.</p> <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction | <p>No potential impacts. Surface water drains to soakpits on the site. Structure located outside of areas identify at risk of flooding</p> |

| | |
|--|---|
| materials <ul style="list-style-type: none"> • Access to site • Pests | |
| Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents | No potential impacts. Surface water drains to soakpits on the site. Structure located outside of areas identify at risk of flooding |
| In-combination/Other | No potential impacts |

(b) Describe any likely changes to the European site:

| | |
|--|----------------------|
| Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site | No potential impacts |
|--|----------------------|

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

STEP 4. Screening Determination Statement

The assessment of significance of effects:
 Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

The proposed development is not likely to have significant effects.

Conclusion:

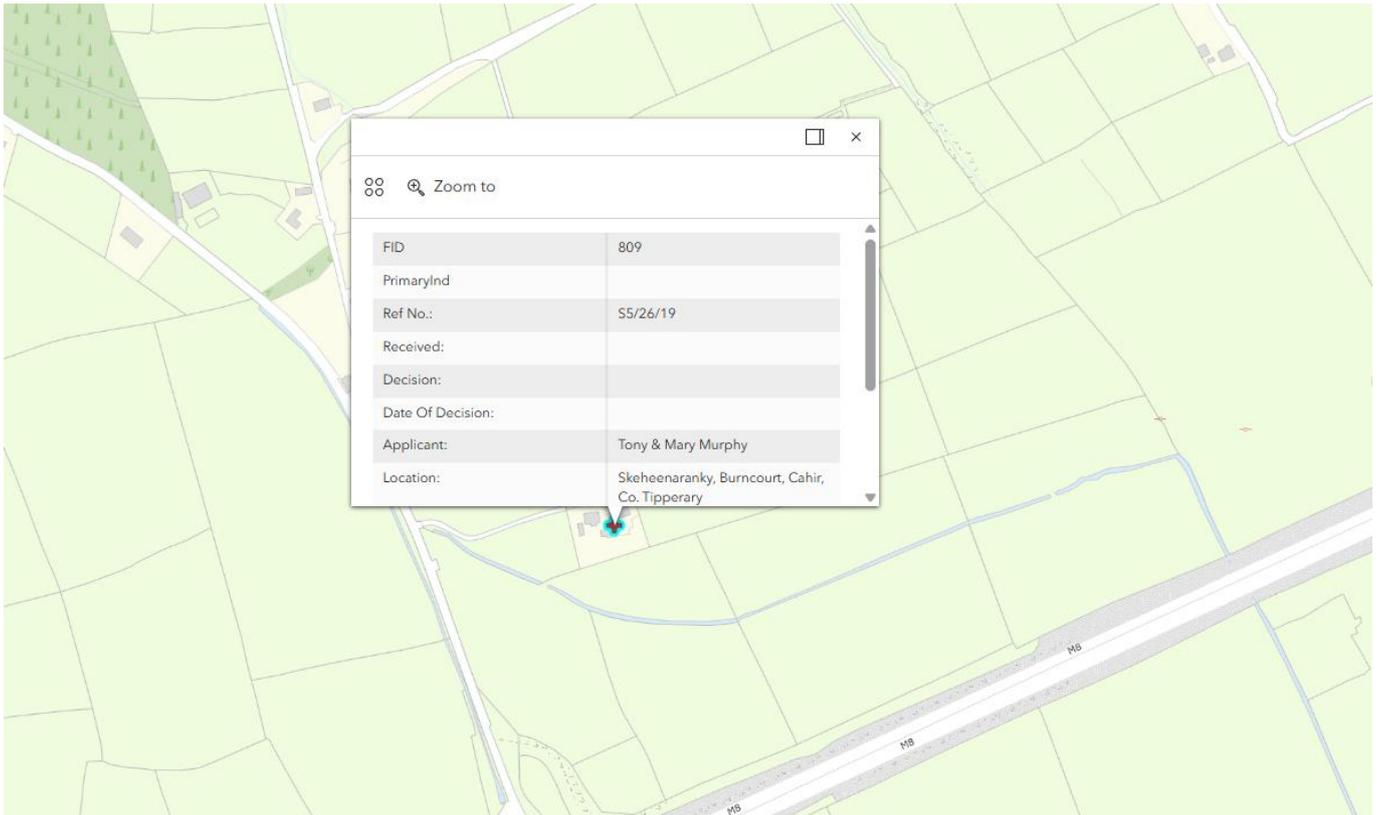
| | Tick as Appropriate: | Recommendation: |
|---|-------------------------------------|--|
| (i) It is clear that there is no likelihood of significant effects on a European site. | <input checked="" type="checkbox"/> | The proposal can be screened out: Appropriate assessment not required. |

| | | |
|--|--------------------------|---|
| <p>(ii) It is uncertain whether the proposal will have a significant effect on a European site.</p> | <input type="checkbox"/> | <input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission |
| <p>(iii) Significant effects are likely.</p> | <input type="checkbox"/> | <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission |

EIA Pre-Screening
Establishing a development is a 'sub-threshold development'

| | |
|--|--|
| File Reference: | S5/26/19 |
| Development Summary: | To construct a cattle shed |
| Was a Screening Determination carried out under Section 176A-C? | <input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A |
| A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate) | |
| <input type="checkbox"/> Yes, specify class <hr/> | EIA is mandatory No Screening required |
| <input checked="" type="checkbox"/> No | Proceed to Part B |
| B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate) | |
| <input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2 | No Screening required |
| <input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): <hr/> | EIA is mandatory No Screening required |
| <input type="checkbox"/> Yes the project is of a type listed but is sub-threshold : <hr/> | Proceed to Part C |
| C. If Yes, has Schedule 7A information/screening report been submitted? | |
| <input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant | Screening Determination required Preliminary Examination required |
| <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant | |

Figure 4 Planning Register



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/19** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Tony & Mary Murphy, C/O Liam Slattery, 3 Cois Na Gleann, Glanmire, Co. Cork, to construct cattle shed with slatted tank at Skeheenaranky, Burncourt, Cahir, Co. Tipperary, is development and is exempted development.

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 3, Class 6 of the Planning and Development Regulations, 2001, as amended and
- d) The details as submitted with the application on the 18th of February 2026.

AND WHEREAS Tipperary County Council has concluded that to construct a cattle shed with slatted tank constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is "**exempted development**".

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

Signed: 

Brian Beck
Director of Services

Date: 13/03/2026



Date: 13th March, 2026

Our Ref: S5/26/19

Civic Offices, Nenagh

Tony & Mary Murphy
C/O Liam Slattery
3 Cois Na Gleann
Glanmire
Co. Cork

Re: Declaration under Section 5 of the Planning and Development Act 2000, as amended.

A Chara,

I refer to your application for a Section 5 Declaration received on 18th February, 2026, in relation to the following proposed works:

To construct cattle shed with slatted tank **at** Skeheenaranky, Burncourt, Cahir, Co. Tipperary

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

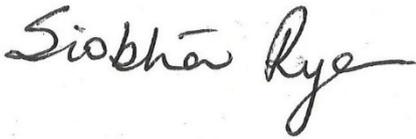
- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 3, Class 6 of the Planning and Development Regulations, 2001, as amended and
- d) The details as submitted with the application on the 18th of February 2026.

AND WHEREAS Tipperary County Council has concluded that to construct a cattle shed with slatted tank constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “**exempted development**”.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours sincerely

A handwritten signature in black ink that reads "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**